DOCKET NO.: T0428.70092US01

NITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Jere R. Anderson et al.

Serial No.:

10/767,595

Confirmation No.:

5214

Filed:

January 29, 2004

For:

MICROCELLULAR EXTRUSION/BLOW MOLDING PROCESS AND

ARTICLE MADE THEREBY

Examiner:

Not yet assigned

Art Unit:

1775

CERTIFICATE OF MAILING UNDER 37 C.F.A. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the day of _______, 2004

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Transmitted herewith are the following documents:

- Information Disclosure Statement;
- PTO Form 1449 with cited references; and
- Return Receipt Postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 646-8000, Boston, Massachusetts.

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A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,

By:

Robert H. Walat, Reg. No.: 46,324 Timothy J. Oyer, Ph.D., Reg. No.: 36,628

Wolf, Greenfield & Sacks, P.C.

600 Atlantic Avenue

Boston, Massachusetts 02210-2206

Telephone: (617) 646-8000

Docket No.: T0428.70092US01 Date: <u>001008(79</u>, 2004

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Examiner:

Leo B. Tentoni

Art Unit:

1775

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

Mail Stop Amendment Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

STATEMENT FILED PURSUANT TO THE DUTY OF DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

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PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the enclosed Office Action from a corresponding foreign national application (Chinese Patent Application No. 98813127.7).

PART III: Explanation of Non-English Language References and Remarks Concerning Other Information Cited

The following is a concise explanation of the relevance of each non-English language reference listed on the attached form PTO-1449 (modified):

CN1066858A was cited in a corresponding foreign national application (Chinese Patent Application No. 98813127.7). As noted above, Applicant has enclosed the Office Action citing this reference. Applicant is also citing U.S. Patent No. 5,147,896 which is an English language family member of CN1066858A.

PART IV: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

- 1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
- 2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;

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3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,

By:

Robert H. Walat, Reg. No. 46,324 Timothy J. Oyer, Ph.D., Reg No. 36,628 Wolf, Greenfield & Sacks, P.C.

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Boston, Massachusetts 02210-2206

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Docket No.: T0428.70092US01 Date: 0ctober 39, 2004



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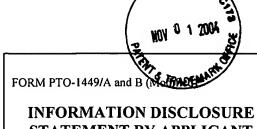
GROUP ART UNIT: 1775

EXAMINER:

Leo B. Tentoni

U.S. PATENT DOCUMENTS

Examiner's	Cite	U.S. Patent Docu		Name of Patentee or Applicant of Cited	Date of Publication or of issue
Initials	No.	Number	Kind Code	Document	of Cited Document MM-DD-YYYY
	*A1	3,225,127		Scott, Jr.	12-21-1965
	*A2	3,227,664		Blades et al.	01-04-1966
	*A3	3,227,784		Blades et al.	01-04-1966
	*A4	3,277,221		Parrish	10-04-1966
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	*A21	4,832,770		Nojiri et al.	05-23-1989
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	*A25	5,116,881		Park et al.	05-26-1992
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STATEMENT BY APPLICANT

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GROUP ART UNIT: 1775

EXAMINER:

Leo B. Tentoni

U.S. PATENT DOCUMENTS

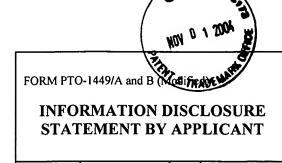
Examiner's	Cite	U.S. Patent Document		Name of Patentee or Applicant of Cited	Date of Publication or of issue	
Initials	No.	Number	Kind Code	Document	of Cited Document MM-DD-YYYY	
	*A38	5,571,848		Mortensen et al.	11-05-1996	
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Initials		No.	Office/ Country	Number	Kind Code	Document (not necessary)	Cited Document MM-DD-YYYY	(Y/N)
	*B1	GB	1 456 171		Krauss-Maffei Aktiengesellschaft	11-17-1975		
	*B2	EP	0707935	A2	BASF	04-24-1996		
	*B3	EP	0799853	A1	Mitsui Toastu Chemicals, Inc.	10-08-1997		
	*B4	EP	0818292	A2	Mitsui Toastu Chemicals, Inc.	01-14-1998		
	*B5	WO	89/00918		Colton	02-09-1989		
	*B6	wo	90/07546		Chum	07-12-1990		
	*B7	wo	95/24440		Sanyasi	09-14-1995		
	*B8	wo	97/28050		Wella	08-07-1997		
	*B9	wo	98/08667	A2	Trexel, Inc.	03-05-1998		
	*B10	wo	98/31521		Pierick et al.	07-23-1998		

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	I Thook magazine injimal serial symbosium catalog etc.) date relevant nage(s) yolijme-issije njimber(s)		ition N)
	*C1	D. F. BALDWIN et al., "A processing system for the extrusion of microcellular polymer sheets: shaping and cell growth control," <i>Cellular and Microcellular Materials</i> , Nov. 1994, MD-Vol. 53, pp. 95-107 (ASME 1994).		
	*C2	C. PARK et al., "Effect of the pressure drop rate on cell nucleation in continuous processing of microcellular polymers," <i>Polymer Engineering and Science</i> , March 1995, Vol. 35, No. 5, pp. 432-440.		



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-	GROUP ART UNIT:	1775	EXAMINER:	Not yet assigned

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.		
	*C3	C. PARK et al., "Filamentary extrusion of microcellular polymers using a rapid decompressive element," <i>Polymer Engineering & Science</i> , January 1996, Vol. 36, No. 1, pp. 34-48, XP000583331, see page 42, column 2 – pg. 46.		
	C4	Office Action from Chinese Patent Application No. 98813127.7		

EXAMINE R	DATE CONSIDERED

#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. 09/241,352, filed February 2, 1999, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - The Office hereby waives the requirement under 37 CFR 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have entered the national stage under 35 USC 371 after June 30, 2003. See 37 CFR 1.491(b). For all patent applications filed on or before June 30, 2003, copies of cited U.S. patents and patent application publications are still required unless an eIDS is filed. Copies of all other patent(s), publication(s), or other information listed must still be provided, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]